

United States Court of Appeals
For the Eighth Circuit

No. 15-2904

United States of America

Plaintiff - Appellee

v.

Dustin Allen Dimmick

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Ft. Dodge

Submitted: March 1, 2016

Filed: March 4, 2016

[Unpublished]

Before LOKEN, MURPHY, and BYE, Circuit Judges.

PER CURIAM.

Dustin Allen Dimmick directly appeals the sentence imposed by the district court¹ after he pleaded guilty to being a felon in possession of firearms. His counsel

¹The Honorable Mark W. Bennett, United States District Judge for the Northern District of Iowa.

has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that Dimmick was incompetent to plead guilty because he was not provided access to a law library. We conclude that access to legal materials was not required because Dimmick was represented by counsel. Cf. Bounds v. Smith, 430 U.S. 817, 828 (1977) (inmate must have access either to adequate law library or to persons trained in law); Bear v. Kautzky, 305 F.3d 802, 806 (8th Cir. 2002) (there is no one prescribed method of ensuring inmate access to courts). We have reviewed the record independently under Penson v. Ohio, 488 U.S. 75 (1988), and we find no nonfrivolous issues for appeal.

Accordingly, we affirm the judgment, and we grant counsel's motion to withdraw.
